REMARKS

Claims 1-43 are pending and rejected in this application.

Responsive to the rejection of claims 1-5, 7, 8, 11-19, and 23-43 as being rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,602,757 (Haseley et al) and U.S. Patent No. 5,633,811 (Canada et al), Applicant respectfully traverses this rejection and submits that claims 1-5, 7, 8, 11-19, and 23-43 are now in condition for allowance.

Each of amended claims 1, 19, 29, 30, 36, and 40 essentially require the ability to generate a measured or calculated value based upon a sensor signal and the ability to control the mechanical press in accordance with the comparison of that value to a plurality of severity operating zones, each severity operating zone defining a relative level of potential long-term operating reliability for a mechanical press. Applicant submits that such an invention as set forth in each of independent claims 1, 19, 29, 30, 36, and 40 is neither taught, disclosed, nor suggested by Haseley et al., Canada et al., or any of the other cited references, alone or in combination.

Applicant hereby respectfully submits that the arguments set with respect to Haseley '757 and Canada '811, as set forth in our previous response dated August 4, 2003, are still deemed pertinent to the outstanding prior art rejection and are hereby incorporated by reference thereto.

In the Final Office Action date mailed July 21, 2003, the Examiner admitted that Haseley et al. does not specifically teach measuring signals of press machines.

Instead, the Examiner attempts to rely on Canada et al. for a teaching of a vibration measuring system that monitors vibration data of press machines. Specifically, the Examiner cites Column, 1, lines 4-57 of Canada et al. as a disclosure of such a teaching. However, in Column 1, lines 45-58, Canada et al. sets forth, as an example, that one may wish to monitor for a possible crack in a shaft bearing, further indicating that such a crack would produce a relatively high frequency, low amplitude, vibration or click each time a ball bearing passed over the crack. The Examiner contends that such a vibration or click represents disclosure of a vibration issuing from a press.

Upon closer review of lines 51-54 of column 1, in particular, the indication is that if such a bearing is located at a typical factory, it will be operating in the presence of noise vibration from a variety of sources which may include presses among others. Canada et al. further indicates that in order to distinguish a click associated with a crack in a bearing, careful analysis of a frequency content of the monitor vibration signal must be performed. As such, the goal of Canada et al. is to avoid mistaking the noise created from sources outside of the bearing as a potential indication of a flaw or a crack in such a bearing. Therefore, neither Haseley et al. '757 nor Canada et al. '811 teaches the ability to generate a measured or calculated value based upon a sensor signal from a mechanical press and the accompanying ability to control such a mechanical press in accordance with a comparison of that value to a plurality of severity operating zones associated with that mechanical press, as set forth in each of the independent claims 1, 19, 29, 30, 36, and 40.

For all of the foregoing reasons, Applicant respectfully submits that Claims 1, 19, 29, 30, 36, and 40, and those claims depending therefrom, are now in condition for allowance and hereby respectfully requests that the rejection based upon Haseley et al. in view of Canada et al. be withdrawn.

Claim 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Haseley et al and Canada et al in view of U.S. Patent No. 4,302,813 (Kurihara et al). However, claim 6 depends from claim 1, which is in condition for allowance for the reasons set forth above. Accordingly, Applicant submits that claim 6 is also in condition for allowance, the allowance of which is hereby respectfully requested.

Claims 9, 10, and 20-22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Haseley et al and Canada et al in view of U.S. Patent No. 5,802,151 (Bevill, Jr. et al). However, claims 9 and 10 depend from claim 1, and claims 20-22 depend from claim 19. Since claims 1 and 19 are in condition for allowance for the reasons set forth above, Applicant submits that claims 9, 10, and 20-22 are also in condition for allowance. The allowance of which is hereby respectfully requested.

Furthermore, Bevill, Jr. et al discloses a telephone interface protection circuit and a modem incorporating the telephone interface protection circuit. Since Haseley et al does not disclose a system which expressly has a telephone circuit, Haseley et al does not present any systematic problem to which Bevill, Jr. et al could be directed. Further, Haseley et al does not present its data in a manner conducive to display by a series of

LED's, contrary to the suggestion by the Examiner. Thus, there is no motivation to combine Bevill, Jr. et al with the primary reference Haseley et al.

If the Examiner has any questions or comments that would speed prosecution of this case, the Examiner is invited to call the undersigned at 260/485-6001.

Respectfully submitted,

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JTK/mdc

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on: November 21, 2003.

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November 21, 2003
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